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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of

David Dean, et al.

Serial No.: 10/065,247

Group Art Unit: 2123

Filed: September 27, 2002

Examiner: F. Jaworski

For: EMBEDDED THERMAL CONTROL SYSTEM FOR HIGH
FIELD MR SCANNERS

Attorney Docket No.: 124272 (GEMS 0149 PUS)

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U.S.S.N. 10/065,247

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Dear Sir:

Applicants submit this Response in response to the Office Action dated November 3, 2004. This response is timely because it is being filed within the three (3) month time period set for a response.

U.S.S.N. 10/065,247

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Assertion as to Common Ownership of Reference:

Applicants assert that Application 10/065,247 and Hedlund et al. (US 6,516,282) were, at the time the invention of Application 10/065,247 was made subject to an obligation of assignment to "GE Medical Systems Global Technology Company". Pursuant MPEP 715.01(b) and MPEP 706.02(1)(3), this disqualifies Hedlund et al. from being used as a reference under 35 U.S.C. 103 against the claims of Application 10/065,247.